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IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

INTERNATIONAL MARKETING, INC.,

Plaintiff,

v.

COUNTERACT BALANCING BEADS, INC.,

Defendant.

C.A. No. 1:CV 00-0697

(Magistrate Judge Smyser)

FILED  
HARRISBURG, PA

APR 02 2002

NOTICE OF APPEAL

MARY E. D'ANDREA, CLERK  
Per 9/18

Defendant Counteract Balancing Beads hereby gives notice that it appeals to the United States Court of Appeals for the Third Circuit from the Order and Judgment entered by the United States District Court for the Middle District of Pennsylvania in this action on March 28, 2002, that (a) finds defendant Counteract Balancing Beads, Inc. in violation of the Order of September 14, 2001, (b) enters civil contempt sanctions and penalties against defendant Counteract Balancing Beads, Inc. should it not comply with the requirements of the March 28, 2002 Order, and (c) directs defendant Counteract Balancing Beads, Inc. to pay plaintiff's costs and attorney's fees associated with the contempt motion.

Dated: April 1, 2002

Respectfully submitted,



Kevin W. Goldstein  
RATNER & PRESTIA  
Suite 301, One Westlakes  
P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

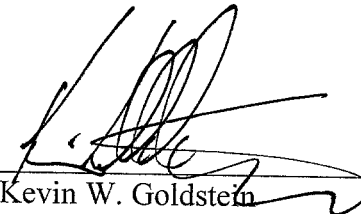
Costas S. Krikelis  
RATNER & PRESTIA  
Suite 209, Webster Bldg  
3411 Silverside Road  
P.O. Box 7228  
Wilmington, DE 19803  
(302) 479-9470

Attorneys for Defendant  
Counteract Balancing Beads

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing *Notice of Appeal* was served upon the noted counsel of record by Federal Express, overnight delivery, on April 1, 2002.

Allen C. Warshaw, Esquire  
Duane Morris & Heckscher LLP  
305 North Front Street, 5<sup>th</sup> Floor  
Harrisburg, PA 17108



Kevin W. Goldstein

Tue Apr 2 12:04:33 2002

UNITED STATES DISTRICT COURT

SCRANTON, PA

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LEY FORGE, PA 19482

FILING FEE FOR NOTICE OF APPEAL IN 1  
:CV-00-697

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INFORMATION STATEMENT TO BE COMPLETED BY U.S. DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

HARRISBURG, PA

INTERNATIONAL MARKETING, INC.

DISTRICT COURT NO. 1:CV-00-0697

V.

CT. OF APPEALS NO. \_\_\_\_\_

COUNTERACT BALANCING BEADS, INC.

NOTICE OF APPEAL FILED 4/02/02

COURT REPORTER(S) \_\_\_\_\_

FILING FEE:

NOTICE OF APPEAL ☒ PAID ☐ NOT PAID ☐ SEAMAN

DOCKET FEE ☒ PAID ☐ NOT PAID ☐ USA

CJA APPOINTMENT: (Attach Copy of Order)

☐ PRIVATE ATTORNEY

☐ DEFENDER ASSOCIATION OR FEDERAL PUBLIC DEFENDER

☐ MOTION PENDING

LEAVE TO PROCEED IN FORMA PAUPERIS STATUS, IF APPLICABLE:  
(Attach Copy of Order)

☐ MOTION GRANTED (IN FIRST INSTANCE)

☐ MOTION DENIED (IN FIRST INSTANCE)

☐ MOTION PENDING BEFORE DISTRICT JUDGE

CERTIFICATE OF PROBABLE CAUSE (STATE HABEAS CORPUS):  
(Attach copy of Order)

☐ GRANTED

☐ DENIED

☐ PENDING

COPIES TO:

Magistrate Judge J. Andrew Smyser  
William C. Cramer, Esquire  
Jennifer L. Murphy, Esquire  
Costas S. Krikelis, Esquire  
Monica Zamiska, Court Reporter

Allen C. Warshaw, Esquire  
Kathleen W. Cramer, Esquire  
Kevin W. Goldstein, Esquire  
Vicki Fox, Court Reporter

PREPARED BY Virginia Gilmore  
Deputy Clerk

Date: April 3, 2002

UNITED STATES DISTRICT COURT  
for the  
MIDDLE DISTRICT OF PENNSYLVANIA  
William J. Nealon Federal Bldg & U.S. Courthouse  
235 North Washington Avenue  
P.O. Box 1148  
Scranton, PA 18501-1148

MARY E. D'ANDREA  
Clerk of Court

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Office of the Clerk  
United States Court of Appeals  
for the Third Circuit  
21400 United States Courthouse  
601 Market Street  
Philadelphia, PA 19106-1790

RE: INTERNATIONAL MARKETING, INC. V.  
COUNTERACT BALANCING BEADS, INC.  
USDC NO: 1:CV-00-0697  
USCA NO:  
E-mail Account: All correspondence should be sent to the e-mail account:  
PAMDAPPEAL1

Dear Ms. Waldron:

A *Notice of Appeal* was filed in the above-referenced case.

\_\_\_\_\_ Civil Prisoner Case: Case file and docket sheet available through RACER.

\_\_\_\_\_ Non-Prisoner *Pro Se* Civil Case: Notice of Appeal and Docket Sheet available through RACER.

  X   Non-Prisoner Civil Case or Criminal Case: Notice of Appeal and Docket Sheet available through RACER.

\_\_\_\_\_ Civil Prisoner Case: \_\_\_\_\_ Supplemental Record filed. Documents and docket sheet available through RACER.

\_\_\_\_\_ Non-Prisoner Civil Case or Criminal Case:  
\_\_\_\_\_ Supplemental Record filed. Docket Sheet available through RACER.

The Clerk's Office hereby certifies the record and the docket sheet available through RACER to be the certified list in lieu of the record and/or the certified copy of the docket entries.

Very truly yours,

s/ Virginia Gilmore  
Deputy Clerk

Date: April 3, 2002